

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

BENJAMIN COTTON, on behalf of himself :
and all others similarly situated, :
Plaintiff, :

v. :

CASE NO.: 5:15-CV-466 (LJA)

ACKERMAN WRECKER SERVICE, INC., :
and WALTER GLEN SMITH, :
Defendants. :

ORDER

Before the Court is the Joint Motion to Approve Settlement. (Doc. 21). Therein, Plaintiffs Benjamin Cotton and Chance Croft and Defendants Ackerman Wrecker Service, Inc. and Walter Glenn Smith (collectively the “Parties”) request that the Court: (1) conduct a review of the proposed General Release and Settlement Agreements (“Settlement Agreements”) which the parties have filed (Doc. 21-2); (2) approve the Settlement Agreements entered into between the Parties; and (3) enter an Order dismissing with prejudice all of the claims alleged in the lawsuit against Defendants by Plaintiffs. (Doc. 21). The Parties represent that they have agreed to settle the matter and have executed Settlement Agreements resolving the claims and seeking to dismiss the matter with prejudice. (*Id.*). To the extent that the Settlement Agreements apply only to the Named Plaintiffs and the Defendants, the Court finds that the terms of the Settlement Agreements are fair and reasonable.

The Court notes, however, that this case was brought on behalf of the Named Plaintiffs and on behalf of all others similarly situated. *E.g.*, (Doc. 1). While the Settlement Agreements do not purport to address any claims, stated or potential, which might be brought by other “similarly situated” parties, the Court finds that it would not be fair or reasonable to bind any such parties to the terms of the Settlement Agreements.

The Court **GRANTS** the Joint Motion to Approve Settlement (Doc. 21). This Order does not in any way affect the rights of any parties other than the Named Plaintiffs and the Defendants. It is, therefore, **ORDERED** that the action be **DISMISSED WITH PREJUDICE**.

SO ORDERED, this 13th day of April, 2017.

/s/ Leslie J. Abrams

LESLIE J. ABRAMS, JUDGE
UNITED STATES DISTRICT COURT